

## Message Text

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ACTION DLOS-06

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 ACDA-07 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00

H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

SAL-01 AF-08 ARA-06 EA-07 NEA-10 /158 W

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FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 8826

INFO AMEMBASSY MOSCOW

S E C R E T USUN 3400

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS CONFERENCE - OUTSTANDING US-USSR ISSUES IN  
COMMITTEE I

1. U.S. COMMITTEE I REP. RATINER MET MORING OF AUG. 20  
WITH SOVIET DEL. YURI KAZMIN FOR PREPARATORY DISCUSSION OF  
DIFFERENCES BETWEEN U.S. AND USSR IN C-I. FOLLOWING ARE MAIN  
POINTS:

2. QUOTA. THE SOVIETS HAVE GIVEN UP THEIR INSISTENCE ON  
AN EQUAL QUOTA SYSTEM APPLYING TO ALL STATES. (PAST  
SOVIET POSITIONS REQUIRED THAT NO ONE STATE OBTAIN  
RIGHTS TO MORE MINE SITES THAN ANY OTHER STATE.) THEY FEEL  
THAT THE FRENCH QUOTA PROPOSAL, WHICH WAS INTRODUCED AT THE  
GROUP OF FIVE MEETING IN LONDON, IS A GOOD APPROACH, BUT  
THAT THE PERCENTAGE LIMITATIONS IN THAT PROPOSAL ARE TOO  
HIGH. (THE FRENCH PROPOSAL INCLUDES A 20 PERCENT LIMIT ON THE  
DEEP SEABED AREA FOR ANY ONE STATE WITHIN A 500,000 SQUARE  
KILOMATER BLOCK AND ALSO A 35 PERCENT LIMITATION ON ANY STATE IN

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KILOMATER BLOCK AND ALSO A 35 PERCENT LIMITATION ON ANY STATE IN

RESPECT OF THE TOTAL AMOUNT OF SEABED PRODUCTION.) THE SOVIETS STRESSED THAT THEY WANT TO BE SURE THAT THERE IS A LIMITATION ON BOTH THE NUMBER OF CONTRACTS AWARDED ANY ONE STATE AND THE PERCENTAGE OF THE AREA WHICH IT CAN EXPLOIT. HOWEVER, THEY NOTED THAT, AS A PRACTICAL MATTER, BOTH LIMITATIONS COULD BE EXPRESSED IN TERMS OF A LIMIT ON THE NUMBER OF CONTRACTS. WHEN QUESTIONED ABOUT THE COMMENT KOZYREV MADE TO THE SECRETARY ABOUT A QUOTA BASED ON CONSUMPTION NEEDS, KAZMIN APPEARED NONCOMMITTAL AND ALMOST UNAWARE OF THE CONCEPT. THE SOVIETS STATE THAT THEIR MAIN MOTIVATION IN SUPPORTING A QUOTA IS TO PREVENT A FORECLOSURE OF FUTURE RESOURCE OPTIONS, I.E., THEY WANT TO PROTECT THE OPTION OF EVENTUALLY CARRYING OUT OCEAN MINING. HOWEVER, THEY ALSO ACKNOWLEDGED THAT THEY WANT TO QTE PREVENT UNQTE GEOPOLITICAL DOMINATION OF THE DEEP SEABED.

3. TRIBUNAL. THE SOVIETS ACKNOWLEDGED THAT THEY AT ONE TIME AGREED TO THE PERMANENT TRIBUNAL AND SEABED DISPUTE SETTLEMENT PROVISIONS CONTAINED IN THE US BOOK OF AMENDMENTS OF DECEMBER 1975. HOWEVER, IN VIEW OF THE UK AND FRENCH DEFLECTION FROM THAT POSITION, THE SOVIETS BELIEVE THEY SHOULD NOW HAVE THE FREEDOM TO SUPPORT THE FRENCH AND BRITISH APPROACH. (WHILE THE SOVIETS CAN CONTINUE TO SUPPORT A PERMANENT SEABED TRIBUNAL, THEY WANT TO HAVE ARBITRATION AS THE CHIEF MEANS OF DISPUTE SETTLEMENT.) KAZMIN WAS UNABLE TO SAY WHETHER THE SOVIETS WOULD SUPPORT THE US POSITION ON THE TRIBUNAL, IF THE UK AND FRANCE RETREATED FROM THEIR SUPPORT FOR ARBITRATION.

4. COUNCIL. THE SOVIETS WILL NOT SUPPORT THE US PROPOSAL FOR ARTICLE 27 BECAUSE THEY BELIEVE IT IS DISCRIMINATORY, WILL KEEP MOST COUNTRIES OFF THE COUNCIL, AND OFFERS NO OPPORTUNITY FOR MOST NATIONS OF THE WORLD TO PARTICIPATE IN COUNCIL DECISIONS. ALSO, THEY OPPOSE OUR ARTICLE BECAUSE WEIGHTED VOTING IS TIED TO THE FOUR METALS FOUND IN MANGANESE NODULES. (THEY BELIEVE IT IS UNREALISTIC TO EXCLUDE OTHER MINERALS WHICH MAY BE FOUND IN THE DEEP SEABED.) ADDITIONALLY, THEY DO NOT

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BELIEVE THAT OUR ARTICLE WILL BE NEGOTIABLE. KAZMIN ALSO INDICATED THAT THE SOVIETS WOULD NEVER AGREE TO ANY SYSTEM THAT ALLOWED INTERNATIONAL VERIFICATION OR CHALLENGE OF THEIR PRODUCTION AND CONSUMPTION STATISTICS. HE DID AGREE, HOWEVER, TO LOOK INTO THOSE CASES WHERE THE SOVIETS MAY HAVE AGREED TO THIS IN THE PAST. THE SOVIET POSITION ON THE COUNCIL IS TO ASSURE TO SOCIALIST STATES THE GREATEST NUMBER OF SEATS POSSIBLE,

AND THEY SEEM TO BE COUNTING ON THE SUPPORT OF OTHER INDUSTRIALIZED STATES TO BLOCK COUNCIL ACTION. WHEN QUERIED, KAZMIN DEMONSTRATED THAT THE SOVIETS AND GIVEN LITTLE THOUGHT TO THE POSSIBILITY THAT THE INDUSTRIALIZED COUNTRIES MIGHT NOT ACT AS A UNIT ON ALL COUNCIL DECISIONS AND THAT THE SOVIET POSITION, THEREFORE, DID NOT GUARANTEE BLOCKING ABILITY. HE AGREED TO THINK ABOUT WHETHER THE SOVIET POSITION ON THE COUNCIL (APPARENTLY A COMPOSITIONAL REQUIREMENT OF SIX SOCIALIST STATES, COMBINED WITH A 2/3 VOTING MAJORITY) EFFECTIVELY PROTECTED SOVIET INTEREST IN BLOCKING.

5. PROVISIONAL APPLICATION. KAZMIN EXPLAINED THAT THE SOVIETS WOULD NOT ACCEPT PROVISIONAL APPLICATION FOR PART I OF THE TREATY. RATINER NOTED THAT OUR POSITIONS PROBABLY WERE IN AGREEMENT, SINCE MOST COUNTRIES ASSUMED THAT, IF THE TREATY WERE PROVISIONALLY APPLIED, IT WOULD BE IN ITS ENTIRETY.

6. GENERAL. IN RESPONSE TO RATINER'S QUESTION OF WHAT WAS A MINIMUM ACCEPTABLE PACKAGE FOR THE USSR IN COMMITTEE I, KAZMIN LISTED THE FOLLOWING POINTS:

-- GUARANTEED RIGHT OF STATES TO EXPLOIT THE DEEP SEABED.

-- FREEDOM OF SCIENTIFIC RESEARCH.

-- NO POWER OF THE AUTHORITY TO LOOK INTO INTERNAL MATTERS OF STATES (I.E., THAT STATES WOULD BE PRESUMED TO POSSESS REQUISITE FINANCIAL AND TECHNOLOGICAL QUALIFICATIONS FOR CONTRACTS.)

-- AN ACCEPTABLE DEFINITION OF ACTIVITIES IN THE AREA.

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